GOVERNMENT OF WESTERN AUSTRALIA

OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

2024 INSPECTION OF ALBANY REGIONAL PRISON

157

DECEMBER 2024

Independent oversight that contributes to a more accountable public sector

The Office of the Inspector of Custodial Services acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of this country, and their continuing connection to land, waters, and community throughout Australia. We pay our respects to them and their cultures, and to Elders, be they past or present.

2024 Inspection of Albany Regional Prison

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Inspector's Overview

Despite many challenges there was a renewed sense of enthusiasm seen in Albany

Albany Regional Prison (Albany) faces the same two challenges that we have seen in almost every prison inspection undertaken over the past few years, rising prisoner populations and staffing issues.

At the commencement of our inspection in February 2024, the Albany population was 393, with 33% held on remand. Fast forward to 18 December 2024 and the population has risen to 437, with 29% held on remand. Although the remand data shows a slight fall in percentage terms, the actual number of remand prisoners has only reduced by 5 to 125. Albany is currently operating at around 87% of its general-purpose bed capacity, meaning they still have a small level of flexibility in managing the complexity of its population.

Our report documents many issues we observed during the inspection arising from daily staffing shortages, including impacts on core services like health, recreation, employment, and education. Restrictions were also evident in the daily regime and interactions between custodial staff and prisoners, both of which are essential for the safe and secure operation of the prison. The Department has acknowledged many of these issues and the impacts they have on the day-to-day operation of prisons. We have received regular briefings and updates on system-wide strategies to increase the custodial workforce, including improving retention allowances and incentives for some staff and increased recruitment and training of custodial staff. This has extended to running regional recruit training schools, two of which successfully ran in Albany this year.

Just prior to the commencement of our inspection, an acting Superintendent was appointed to lead Albany. This appointment brought noticeable change and generated renewed enthusiasm and focus on getting prisoners out of their units to participate in activities like employment and recreation. Our ongoing monitoring of progress has seen this enthusiasm continue throughout the year.

Aboriginal men now comprised almost 50% of the population in Albany, yet they were proportionally under-represented in employment and higher gratuity levels. Notably they only comprised 24% of men employed in positions outside their unit (traditionally seen as more meaningful and higher paid positions), but they comprised a majority of unemployed prisoners at 56%.

On a more positive note, Aboriginal men engaged in education comprised almost 60% of the student population. Reducing educational gaps is one of the key building blocks in addressing disadvantage for Aboriginal prisoners and creating opportunities for rehabilitation. For these reasons we have made three recommendations to improve access to, and engagement in, employment and educational opportunities for men in Albany.

Aboriginal prisoners in Albany would benefit from the development of a dedicated cultural centre to encourage engagement in learning, employment and cultural activities. There are two noticeable examples of the success possible with this type of initiative, the Kaya Link centre in Bunbury Regional Prison and the Kaartdijin Mia cultural centre in Casuarina Prison. Both have had success in engaging Aboriginal men in positive activities, including education, cultural support, and rehabilitation

activities. There is an obvious need for this type of initiative in Albany – and indeed in all prisons – and the current atmosphere of renewed enthusiasm for change has created an ideal opportunity.

Health and mental health staff working in Albany do a remarkable job providing services to prisoners. But at the time of the inspection, they were overwhelmed by access issues and difficulties in recruiting and retaining appropriate clinical staff.

Prisoners' access to a medical practitioner was restricted to tele-health appointments, and access to a dentist was reduced to one day per month, which we heard was often cancelled. The longstanding inability to recruit a specialist mental health/AOD nurse, had led to significant gaps in services available for prisoners in need. There was only one Psychological Health Service counsellor who, along with general nursing staff, did their best, but access and service gaps remained. We understand that at a system level effort to address many of these issues across the state are underway, but this is of little comfort to the staff and prisoners in Albany.

Despite these and several other challenges facing staff and prisoners in Albany, there was a strong sense of enthusiasm and appetite for fresh ideas and change. This needs to be encouraged, supported, and where possible resourced.

Publication without the Department's response

We sent a draft of this report to the Department for comment on 10 October 2024. The response from the Department was originally due on 3 December 2024, but this was extended to 17 December 2024. The Department then advised it would not be in a position to meet the revised deadline. We prepared the report for publication and at the time of lodging the report with Parliament we had not received a response.

There is a Memorandum of Understanding between the Department and my Office which sets out agreed operating parameters, including timeframes for various processes such as responses to draft reports. It is not a legally binding document but establishes what we both agree are reasonable timeframes. The agreed timeframe for the Department to respond to draft reports is five weeks.

ACKNOWLEDGEMENTS

We had two Independent Prison Visitors for Albany at the time of our inspection, but one has recently resigned. They are community volunteers appointed by the Minister for Corrective Services and attended Albany on a regular basis observing the operations of the prison and providing an opportunity for the men placed there to raise issues and feedback that informs our office. I acknowledge the importance of the work undertaken and thank them for their contribution to our ongoing monitoring of Albany.

I also acknowledge the support and cooperation we received throughout the inspection from the Superintendent and staff at Albany and from key personnel in the Department.

The men living in Albany who took the time to speak with us and share their perspectives also deserve our acknowledgement and thanks.

Finally, I would like to thank the members of the inspection team for their expertise and hard work throughout the inspection. I would also particularly acknowledge and thank Kieran Artelaris for his work in planning this inspection and as principal drafter of this report.

Eamon Ryan
Inspector of Custodial Services

18 December 2024

Executive Summary

Infrastructure and staffing were under pressure

Rising prisoner numbers meant the ageing infrastructure was under increasing pressure. At the same time, regular and persistent custodial staffing shortages affected daily operations. However, the arrival of a new Acting Superintendent had brought a new approach that was welcomed by staff.

Safety and security were compromised by staff shortages

Daily custodial staffing shortages impacted safety and security in a variety of ways. Besides the basic reality of having fewer staff to run the prison, shortages limited capacity to interact with prisoners and gather intelligence about risks within the prisoner group. Staff were particularly concerned about the prevalence of drugs and other contraband within the prison. Shortages contributed to a significant backlog of prison charges, which undermined the disciplinary process. They also affected staffing in the reception centre, where processes were generally good but orientation of new prisoners had become less effective.

Meaningful activity for prisoners had been more limited

Staffing shortages resulted in a more restricted daily regime. Prisoners had more limited access to recreation, industries and education. Overall, the majority of prisoners were not meaningfully occupied every day. The Acting Superintendent had driven a renewed focus on increasing prisoner access to employment and recreation. This was positive but remained a work in progress.

Provision of basic needs and rights was not consistent

Pressure from staffing shortages and prisoner population growth meant the prison was struggling to accommodate the basic needs and rights of prisoners in some areas, including adequate clothing and family contact. In contrast, and unlike many prisons, the kitchen was producing food that was viewed positively by most prisoners. Albany also found it challenging to manage some of the specific needs of certain cohorts such as Aboriginal prisoners, remand prisoners, and women prisoners.

There were gaps in health and support services

Although the nursing team provided a good primary health service, there was no access to a doctor on site and very limited access to dental services. There was also no mental health or alcohol and other drug service on site and limited psychological support. For a maximum-security prison of this size, these gaps in health and mental health resources were concerning. The health centre was undergoing much-needed refurbishment but infrastructure remained inadequate.

Missed rehabilitation and release opportunities

Prisons have experienced significant population growth without a proportionate increase in resources. This has led to delays in assessment for offender treatment programs and in many cases the delivery of programs has not been able to meet demand. This trend was reflected at Albany but certainly not restricted to Albany. We observe it at most prisons in the state. The result was more

and more prisoners missing opportunities to be rehabilitated and prepared for successful reintegration after release. Because they had not addressed their offending behaviour, more prisoners were not approved for release to parole at their earliest eligibility date. Failure to release people from custody at the earliest opportunity contributed to the rise in prisoner numbers across the state.

List of Recommendations

Recommendation	Page	DOJ Response
Recommendation 1 Develop a strategic infrastructure plan for Unit 1 and other ageing infrastructure at Albany Regional Prison.	3	Not received
Recommendation 2 Re-establish a maintenance team that provides accredited training to prisoners.	5	Not received
Recommendation 3 Develop a strategic workforce plan for Albany, including regular local recruitment and local training of prison officers.	6	Not received
Recommendation 4 Ensure prompt appointment of a permanent Superintendent.	7	Not received
Recommendation 5 Ensure adequate resources are available to address the backlog of prison charges.	10	Not received
Recommendation 6 Revise and update orientation materials.	11	Not received
Recommendation 7 Re-establish peer support involvement in the orientation process.	11	Not received
Recommendation 8 Increase overall prisoner employment levels.	17	Not received
Recommendation 9 Ensure Aboriginal prisoners are proportionately represented in employment.	17	Not received
Recommendation 10 Explore opportunities within the Digital Capability Fund to pilot tablet technology in cell for prisoners at Albany.	19	Not received
Recommendation 11 Install additional prisoner telephones in each accommodation wing.	22	Not received
Recommendation 12 Provide additional resources to manage video link court appearances and official visits.	25	Not received

Recommendation 13 Increase availability of addictions programs and treatment.	29	Not received
Recommendation 14 Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, including a purpose-built crisis care unit.	30	Not received
Recommendation 15 Address the backlog of treatment assessments.	32	Not received

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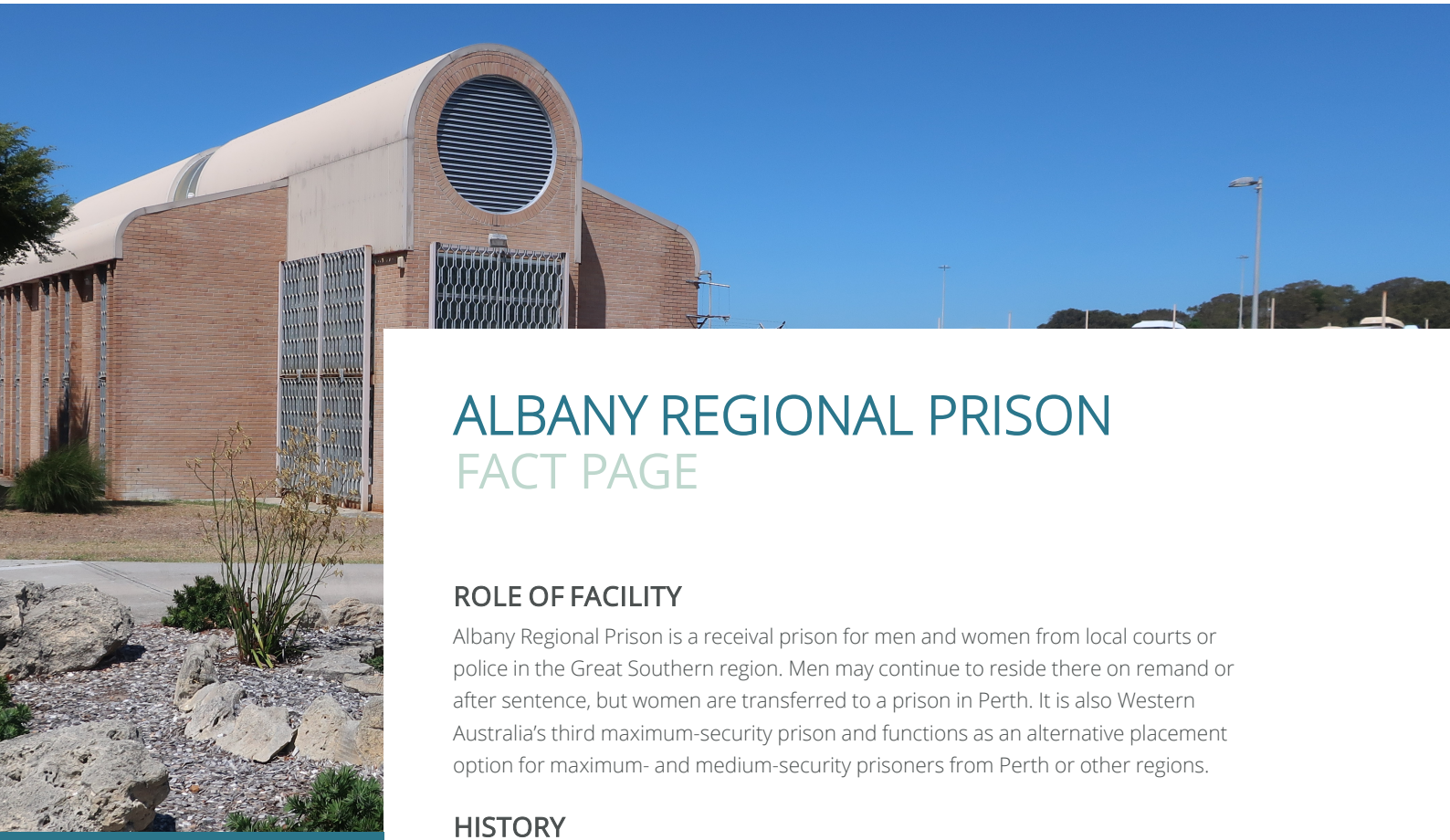

ALBANY REGIONAL PRISON
FACT PAGE

ROLE OF FACILITY

Albany Regional Prison is a receival prison for men and women from local courts or police in the Great Southern region. Men may continue to reside there on remand or after sentence, but women are transferred to a prison in Perth. It is also Western Australia's third maximum-security prison and functions as an alternative placement option for maximum- and medium-security prisoners from Perth or other regions.

HISTORY

Albany Regional Prison opened in 1966 as a minimum-security facility with 72 single cells. This original building remains in the current day prison as Unit 1. The prison was upgraded to maximum-security in 1979.

Unit 2 opened in 1988, expanding capacity to 126 single cells. Unit 3 opened in 1993, adding another 60 single cells. Between 2008 and 2011, all single cells in the prison were double-bunked. In 2011, Unit 4 opened with 64 double cells.

At the time of this inspection, Albany had 251 standard accommodation cells and total capacity was listed as 503.

OFFICIAL CAPACITY

503

PRISONERS AT TIME OF INSPECTION

393

The prison is located in Albany on Menang Noongar land, approximately 400 kilometres south of Perth.

INSPECTION DATE

4 - 9 February 2024

1 Infrastructure and staffing were under pressure

Rising prisoner numbers meant the ageing infrastructure was under increasing pressure. At the same time, regular and persistent custodial staffing shortages affected daily operations. However, the arrival of a new Acting Superintendent had brought a new approach that was welcomed by staff.

1.1 The prison population had grown significantly

Since our last inspection of Albany Regional Prison ('Albany') in February 2021, the average daily prison population had grown from 300 to over 420 – an increase of 40%.

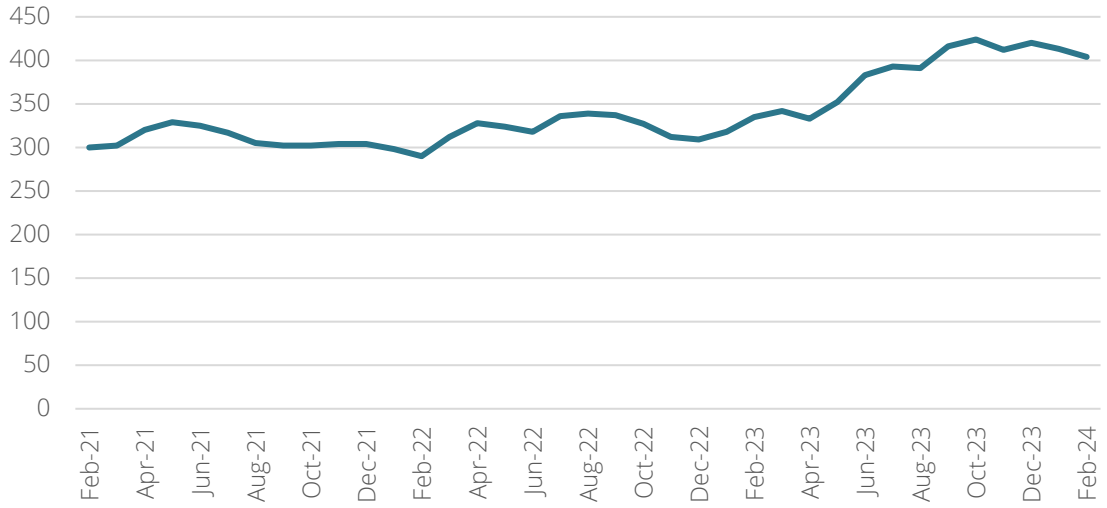

Figure 1: Average daily population at Albany Regional Prison, February 2021 – February 2024

Within that increase, there was a significant shift in the proportion of remand and sentenced prisoners. Remand prisoners had grown from 19% of the population to 33% and had been as high as 40% in mid-2023. The average daily number of remand prisoners had increased from 58 to 137 and had been as high as 157.

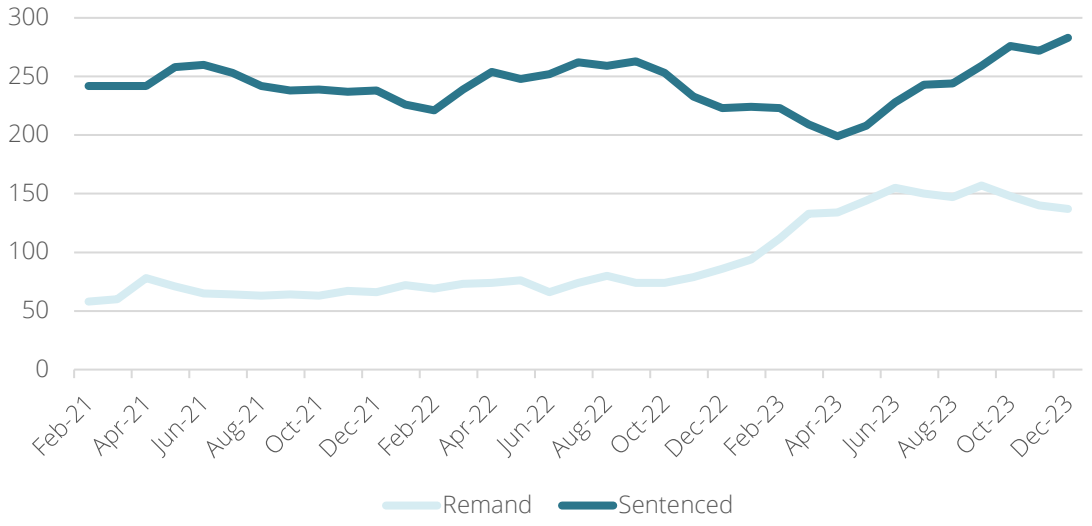

Figure 2: Average daily population by legal status, February 2021 – February 2024

The proportion of Aboriginal prisoners had also risen from 41% to 49%. The average daily number of Aboriginal prisoners had increased from 122 to more than 200.

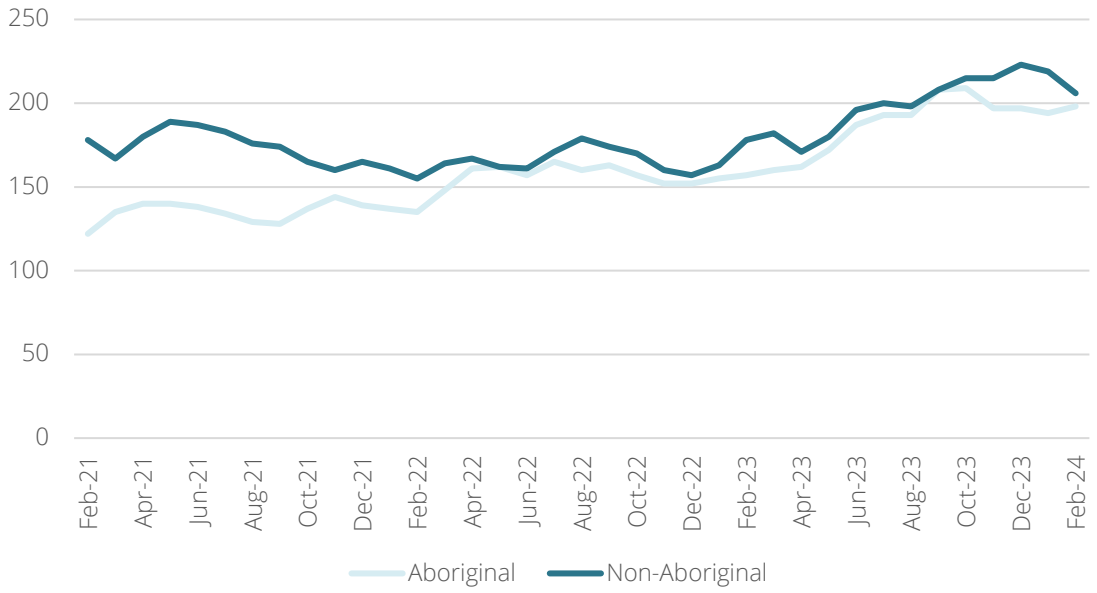

Figure 3: Average daily population of Aboriginal and non-Aboriginal prisoners, February 2021 – February 2024

The growing and changing population put more pressure on infrastructure, staffing, operations, and services. The inspection took place at a time when the statewide prisoner population was reaching record highs. This meant Albany would continue to receive more prisoners. Indeed, in the six months after our inspection, Albany's average daily population grew to over 440. In almost all areas, the prison was not well-placed to manage the ongoing growth in prisoner numbers.

1.2 Ageing infrastructure provided poor living and working conditions

The original prison building, dating back to 1966, continued to house the core infrastructure of the prison, including the Unit 1 prisoner accommodation, education centre, health centre, and kitchen. We have highlighted the poor condition of this infrastructure in every inspection report since the first inspection of Albany in 2002.

In our last report, we recommended both that Unit 1 should be replaced and that any continued use of Unit 1 accommodation should be on the basis of single cell occupation (OICS, 2021, pp. 3, 21–23). Following that 2021 inspection, some refurbishment of A and B Yard in Unit 1 took place, but the basic infrastructure remained the same and cells continued to be double-bunked.

Fundamentally, we found the size and amenity of cells in Unit 1 did not meet modern standards for decent living conditions. In fact, cell sizes throughout the prison were well below national standard guidelines (see Table 1) and all standard accommodation cells were double-bunked.

One half of Unit 2 (28 cells) had been emptied because of damage caused during an incident in January 2024. Repairs would be carried out within weeks, but this had placed additional pressure on Unit 1 and other units in the prison.

Table 1: Cell areas in square metres against national standard guidelines

Unit	Cell area	Single standard	Double standard
1	6.43	8.75	12.75
2	8.49	8.75	12.75
3	8.08	8.75	12.75
4	9.12	8.75	12.75

Other fundamental infrastructure shortfalls identified in past inspections remained unaddressed. For example, the day rooms in Unit 2 and 3 were still inadequate for numbers and most prisoners were forced to eat in their cells. Staff working spaces in Units 1–3 were small and cramped, with insufficient workstations. Infrastructure throughout the prison was in deteriorating condition, exacerbated because staffing shortages had hindered maintenance efforts. Prisoners' perception of infrastructure and living conditions in our pre-inspection survey was substantially worse than three years ago.

In responding to our previous recommendations, the Department of Justice ('the Department') referred to the 'Long-Term Custodial Infrastructure Plan' and 'Prison Services Evaluation and Prison Network Design initiatives', which were intended to 'determine future infrastructure requirements across the custodial estate' (OICS, 2021, pp. 65–66). There was no evidence provided to us that these initiatives had been followed through, and the future of Unit 1 and other ageing infrastructure at Albany was unclear. Securing funding to replace prison infrastructure has always been difficult, but the first step for the Department must be a clear strategic infrastructure plan. We understand that a review of the infrastructure plan forms part of work that is underway to develop a wider strategic plan for the Department.

Recommendation 1

Develop a strategic infrastructure plan for Unit 1 and other ageing infrastructure at Albany Regional Prison.

Photo 1: The internal courtyard of Unit 1 A Yard.

Photo 2: The interior of a cell in Unit 1 A Yard.

Low staffing levels hindered maintenance efforts

There were many areas throughout the prison that needed general maintenance and some areas required significant attention. Some of the oldest parts of the prison were proving difficult to clean because of ingrained dirt and stains and needed to be repainted.

In the past, Albany had successfully run a team of prisoners employed as maintenance workers. This had included collaboration with education to provide the opportunity to complete a Certificate II in Painting and Decorating. The prison benefited from maintenance work getting done and prisoners benefited from gaining a qualification that improved their job prospects on release.

However, staffing shortages over the past 12–18 months meant that the maintenance team was no longer active. The immediate demands of running the prison with staff shortages on a daily basis also meant that many maintenance issues across the site had not been treated as a priority.

At the time of this inspection, some refurbishment was being undertaken in the medical centre and we were pleased to see prisoners involved in this work. We encourage the prison to expand these opportunities and link them with accredited training.

Recommendation 2
Re-establish a maintenance team that provides accredited training to prisoners.

1.3 Vacant positions had a negative effect on operations and services

Albany had 26 vacant custodial officer positions from a workforce of 185. This equated to a vacancy rate of 14%. There were another six officers on worker's compensation leave and four on return-to-work programs, plus two on long-term sick leave. In total, around 20% of the custodial workforce were unavailable. This was the main driver of daily staff shortages at the time of the inspection.

This situation had developed over several years. There had been very few new recruits starting at Albany, and not many officers transferring in from other prisons. The custodial staffing shortage was a system-wide problem and the Department's attention was mainly focused on the larger metropolitan prisons where staffing issues were more severe.

However, with a smaller staffing group to absorb vacant positions, the impact on operations and services at Albany was significant. When there were insufficient prison officers available in the units, prisoners spent more time locked in their cells or in their wings behind grilles. Over the preceding two years, the prison had prioritised staffing the units over other parts of the prison such as industries, education, and recreation. This was aimed at minimising lockdowns and increasing time in the unit recreation yards. But it also reduced access to more meaningful recreation time on the oval and constructive activity in the industries workshops or education centre.

Vocational and Support Officers (VSOs), who run the industries workshops, were routinely redeployed to cover staff shortages elsewhere in the prison. This meant workshops were frequently closed and prisoner employment levels dropped. It also had a negative impact on VSO morale [see

3.2]. Staff across the prison reported higher levels of work-related stress. In our staff survey, respondents rated this at 6.0 out of 10, up from 5.6 in 2021 and above the state average of 5.9.

There had been a change in leadership with a new Acting Superintendent starting in September 2023. With that had come a new focus on maintaining prisoner activity, with a clear direction to increase access to the oval and industries. Priority was given to staffing the industries workshops and redeployment of VSOs was discouraged, even if this meant more lockdowns in the units. This was an approach that we supported, and we also found that staff throughout the prison were overwhelmingly supportive. But restoring a full and purposeful daily routine without regular lockdowns was ultimately still dependent on staffing.

During our inspection, we found there was strong support in the prison for running a local recruitment process and local training school. This had been successful in the past at Albany and was generally believed to have produced good officers with a commitment to the prison and the local area. For many potential candidates, the requirement to attend three months of training in Perth was a barrier to applying. It was positive therefore that an Albany-based training school was announced around the time of our inspection and two classes of recruits have since been trained. This should be part of the ongoing recruitment strategy for Albany, with local training schools run regularly to account for known staff attrition rates.

Recommendation 3
Develop a strategic workforce plan for Albany, including regular local recruitment and local training of prison officers.

1.4 A change in leadership offered an opportunity to reset

We identified concerns about the relationship between senior management and staff during our previous inspection. Some staff complained of aggressive and unsupportive management which they described as bullying and our staff surveys indicated that staff perceptions of management had declined significantly (OICS, 2021, p. 4). Following that inspection, the relationship continued to deteriorate and this was damaging for all.

An independent workforce culture review was initiated by the Department and completed in October 2022. But at that time prison management and staff received no information about the outcomes of this review. It was not until December 2023 that a newly-appointed Commissioner of Corrective Services committed to further investigation of issues raised. Throughout this delay, the apparent lack of action became another source of friction between staff and management.

The arrival of the new Superintendent has had an immediate, significant impact on the morale of the staff within this facility.

Staff morale has improved greatly.

The mood in the prison is a lot better.

Quotes from the staff survey

A change of Superintendent in September 2023 presented as an opportunity to reset. As discussed above, the new Acting Superintendent brought a new philosophy with a focus on increasing prisoner activity. He also brought a different management style that was welcomed by the majority of staff. During the inspection, we consistently heard positive feedback about the Superintendent. Staff appreciated more open communication and felt that their concerns were listened to and addressed. Staff surveys reflected significantly more positive feeling towards senior management.

Figure 4: Perceptions of local management (% of staff survey respondents)

Although the majority of staff supported and welcomed the changes being introduced under the Acting Superintendent, we acknowledge that some barriers remained and there was resistance to change in certain areas. Some staff reported feeling unsettled by the pace of change and felt there was insufficient communication or consultation about some changes. However, it is important to note that even those who raised these sorts of concerns still declared their overall support for the changes.

One of the most common concerns of staff was the uncertain tenure of the Acting Superintendent. Staff were worried that progress would not be sustained if there was another change in leadership. The Superintendent position did not have a substantive occupant and the Acting Superintendent had been placed in the position until it could be advertised and a permanent appointment made. Staff at all levels were aware that this appointment would determine the future direction of the prison. Unfortunately, even six months after the inspection a permanent appointment had not yet been made. The Department should ensure that this is prioritised. Further delay will only continue uncertainty and potentially undermine the progress to date.

Recommendation 4
Ensure prompt appointment of a permanent Superintendent.

2 Safety and security were compromised by staff shortages

Daily custodial staffing shortages impacted safety and security in a variety of ways. Besides the basic reality of having fewer staff to run the prison, shortages limited capacity to interact with prisoners and gather intelligence about risks within the prisoner group. Staff were particularly concerned about the prevalence of drugs and other contraband within the prison. Shortages contributed to a significant backlog of prison charges, which undermined the disciplinary process. They also affected staffing in the reception centre, where processes were generally good but orientation of new prisoners had become less effective.

2.1 The relationship between staff and prisoners had declined

Our standards state the relationship between staff and prisoners should be positive and respectful. Staff should be good role models, encouraging prisoners to develop pro-social behaviours and responsibility for their actions (OICS, 2020, p. 15). We observed many positive interactions between staff and prisoners during our inspection. Staff demonstrated supportive attitudes and knowledge of individual prisoners' circumstances. However, relationships had clearly declined since our previous inspection. Custodial staffing shortages and regular lockdowns had reduced meaningful interactions between staff and prisoners, limiting the opportunity to develop positive relationships.

This conclusion was supported by our pre-inspection prisoner surveys. Three years ago, 70% of survey respondents reported a good relationship with prison officers. In our recent survey, that figure had dropped significantly to 49%. This was similarly reflected in our staff survey results, with 43% of respondents stating that staff and prisoners generally get along well, down from 71% in 2021.

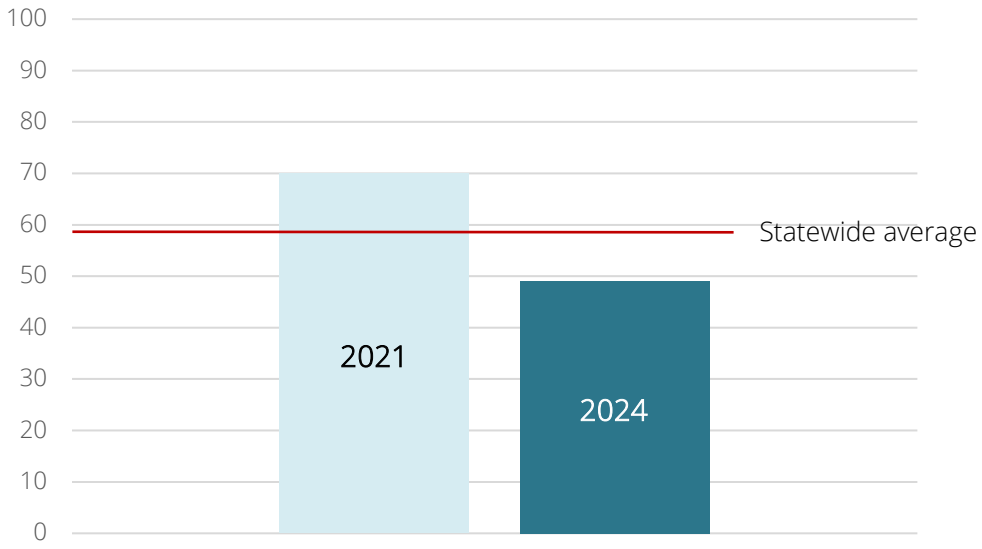

Figure 5: Prisoners reporting a good relationship with prison officers (% of prisoner survey respondents)

A positive relationship between staff and prisoners is important for creating a humane and decent environment that promotes rehabilitation. But it is equally important for dynamic security, which relies on strong relationships and interactions to gather intelligence and maintain awareness of risks

within the prisoner group. When interaction between staff and prisoners declines so too does dynamic security and it is likely that the prison will feel less safe.

At Albany, prisoner perceptions of safety had fallen, with 67% of survey respondents stating they mostly feel safe, down from 82% three years earlier. Staff acknowledged increased levels of bullying and standover behaviour within the prison. In our staff survey, 69% of respondents said prisoner to prisoner bullying occurred often, up from 52% during the previous survey. Staff also raised concerns about their capacity to prevent trafficking of drugs and other contraband into the prison.

2.2 Preventing trafficking was an ongoing challenge

Albany had many measures in place to limit the flow of drugs and other contraband into the prison. Members of the security team listened to prisoners' telephone calls to gather intelligence on trafficking attempts. Visitors were screened at the gatehouse by an electronic trace detection device and/or a detection dog from the Drug Detection Unit (DDU). Visit sessions were monitored by staff in the room and by camera, and attention was targeted on particular visitors and prisoners according to intelligence gathered. Clear acrylic screens installed on visit tables during the COVID-19 pandemic had been retained to limit the passing of contraband. The prison had run joint operations with Western Australian Police to search visitors' cars.

These efforts had resulted in some successes and significant amounts of drugs had been intercepted on more than one occasion. But there was a clear sense among staff that the measures in place were not effective enough. Only 7% of staff survey respondents felt the prison was good at preventing entry of contraband. This had decreased significantly from 31% in 2021. Throughout the inspection, staff repeatedly expressed concern about the amount of contraband entering the prison. Drug use within the prisoner group made the prison less safe for both prisoners and staff.

Staff believed that most contraband was smuggled in during social visits or concealed internally by those returning to custody after being released. They were highly frustrated by what they considered insufficient bans for visitors caught with contraband. The Superintendent has the authority to issue a local ban for up to 12 months. But a statewide ban requires consideration at head office level. There had been occasions when Albany had recommended a statewide ban for a particular visitor, but the length of the ban had been reduced by head office. Staff throughout the prison were acutely aware of this and it was a source of dissatisfaction.

The DDU officer and dog also covered nearby Pardelup Prison Farm and Walpole Work Camp. This meant they were not available for all social visit sessions at Albany. Recruiting a second DDU officer could significantly reduce the entry of contraband by ensuring a more continuous presence. The Department should also explore technology such as body scanners.

We also noted that most of the prison's focus was on supply reduction rather than demand reduction strategies. There was very little support available for prisoners who wanted to address alcohol or other drug addictions [see further discussion at 5.3].

2.3 There was a large backlog of prison charges

At the time of our inspection, there were 96 prison charges laid against prisoners at Albany that were waiting to be heard, plus another 84 that had not yet been written up. There were several factors contributing to this backlog, including limited availability of trained prison prosecutors, Visiting Justices (VJs) to hear more serious charges referred on by the Superintendent, and punishment cells for prisoners to serve a confinement period.

Two prison officers completed the prison prosecutor's course in September 2022. Prior to this the prison was without a prosecutor for around 18 months. By the time of our inspection, only one prosecutor remained, and custodial staffing shortages meant the prosecutor was regularly redeployed up to three days per week.

A VJ had been appointed around the same time as the prosecutor, allowing the prison to work through its backlog of charges. But the VJ only attended on a fortnightly basis, and efforts to recruit a second VJ had so far been unsuccessful.

Albany also faced challenges with available infrastructure for accommodating prisoners during periods of confinement. Most of the available punishment cells were in Unit 1 C Yard. But population pressures meant these cells were sometimes occupied by other prisoners and unavailable to be used as punishment cells.

Only 30% of staff survey respondents thought the prison was effective in implementing charges and prosecutions. The breakdown in the disciplinary process allowed prisoners to think that they could commit prison offences without facing consequences, and this had a negative impact on staff morale. There was a need to prioritise clearing the backlog of charges by limiting the redeployment of the prosecutor and increasing the attendance of the VJs.

Recommendation 5
Ensure adequate resources are available to address the backlog of prison charges.

2.4 Reception procedures were good but orientation was less effective

Reception centre procedures remained appropriate and effective for the efficient processing of people newly received to the prison. This was despite a considerable increase in the number of receptions at Albany in 2023, returning to around the number that was typical prior to the COVID-19 pandemic.

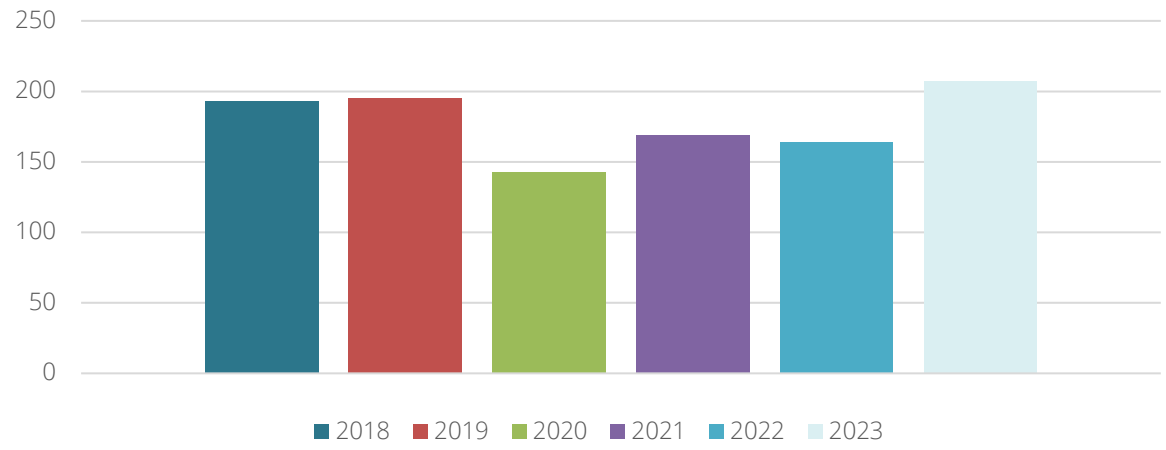

Figure 6: Number of receptions at Albany Regional Prison (2018–2023)

After completing the necessary initial reception processes, prisoners were placed in an accommodation unit before being provided a formal orientation approximately three days later. The process required prisoners to return to the reception centre and watch a slideshow with staff available to answer any queries. Prisoners were also given an orientation booklet to refer to later. Reception staff recognised shortfalls with both the booklet and slideshow – the booklet needed to be updated and the slideshow was text heavy, had no audio, and the view of the screen was sometimes obstructed by staff working in the centre. Reception staff planned to address these issues but had been unable to because they were regularly redeployed. For example, in December 2023, the reception centre lost a total of 183 hours or almost six hours per day to staff redeployment.

In our previous inspection report, we identified the involvement of peer support prisoners in the orientation process as a strength (OICS, 2021, p. 12). However, during this inspection we found that peer support prisoners were no longer involved in orientation [see further discussion at 5.4]. Combined with the other identified shortfalls, this may explain the growing level of prisoner dissatisfaction with the level of information they received on arrival at Albany. Last inspection, only 33% of prisoner survey respondents were dissatisfied. This inspection it had increased to 50%. Revitalising the orientation process and including peer support prisoners would help to ensure that new prisoners receive the information they need during their first days at Albany.

Recommendation 6

Revise and update orientation materials.

Recommendation 7

Re-establish peer support involvement in the orientation process.

3 Meaningful activity for prisoners had been more limited

Staffing shortages resulted in a more restricted daily regime. Prisoners had more limited access to recreation, industries and education. Overall, the majority of prisoners were not meaningfully occupied every day.

3.1 Structured recreation was infrequent

Albany had one Activities/Canteen Supervisor and three Activities/Canteen Officer positions that were responsible for managing recreation and the canteen. This dual role is uncommon – most other prisons have a separate canteen officer role. There was an ongoing risk that the daily demands of running the canteen would take priority over organising structured recreation. This was particularly the case during our inspection because two of the four positions (including the supervisor) were vacant. In addition, regular custodial staff shortages meant that the Activities/Canteen Officers were frequently redeployed to work in the units. The canteen was still required to open Monday–Thursday and continued to generate a substantial administrative workload. As a result, the structured recreation program suffered.

In 2023, there was a planned program of recreation, including soccer and AFL football competitions throughout the year and especially around holidays and special events such as NAIDOC Week. However, almost all were cancelled because of staff shortages. The only part of the organised recreation program that went ahead that year was in NAIDOC Week. Prisoners rarely had access to the oval and when they did it was in unstructured recreation sessions supervised only by custodial staff. The Activities/Canteen Officers were frustrated at their lack of capacity to implement a proper recreation program.

The Acting Superintendent was prioritising improved prisoner access to the oval but this was a work in progress. And the shortage of recreation staff continued to limit any structured or meaningful recreation.

Limited access to the oval meant prisoners were frequently restricted to the unit recreation yards. The recreation yards available in each unit varied. In Unit 1, cells opened directly onto an enclosed, undercover courtyard (see Photo 1). This offered limited opportunities for recreation. Units 2 and 3 had small outdoor yards taken up almost entirely by bitumen basketball courts (see Photo 5). Unit 4 had a larger yard with lawn and basketball court.

The prison lacked a gymnasium. Each unit had an undercover area with isometric equipment, a small selection of exercise machines, and recreation equipment in a trolley. But machines and equipment were typically old, dirty and in poor repair.

Prisoner survey results reflected very low satisfaction with recreation.

88%

*said organised sport was **poor***

89%

*said access to other recreation was **poor***

Photo 3: Prisoner access to the oval had been limited but was improving.

Photo 4: Undercover gym area in Unit 2.

Photo 5: Basketball court in Unit 2

Photo 6: Basketball court in Unit 4.

3.2 Prisoner employment was down but a renewed focus was positive

Industries and prisoner employment had been significantly impacted by custodial staffing shortages over the preceding two years. VSOs were regularly redeployed from the industries workshops to cover vacant custodial officer positions elsewhere in the prison. This meant the non-essential workshops (such as carpentry, metalwork, and vocational skills) were frequently closed or ran at reduced capacity over this period. The prison recorded when a workshop was closed for a day (or half a day) and this information was collated for all workshops each month. For example, in January 2024, for one workshop there were 46 half-days available. For all seven workshops in the industries area, this equated to 322 half-days. And the total number of half-day workshop closures was 173, giving a closure rate of 54%. Figure 5 shows this rate had been trending upwards since 2021. The overall closure rate per month had rarely fallen below 50% since mid-2022, and in some months was over 70%. Disruptions related to COVID-19 outbreaks contributed to several peaks during this period but the most consistent factor was low staffing levels.

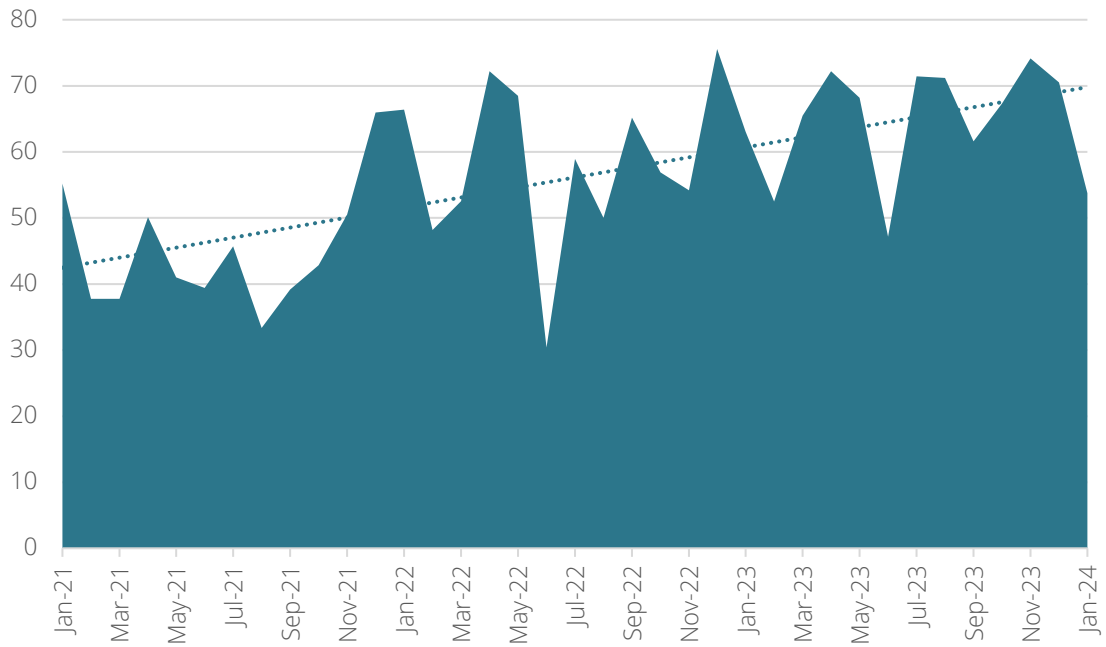

Figure 7: Workshop closures (%), January 2021 – January 2024

Frequent workshop closures had a negative effect on the morale of VSOs who grew increasingly frustrated at being unable to focus on their own jobs. As a result, VSO turnover was high, and recruitment was challenging in a competitive labour market. At the time of our inspection, there were five vacant VSO positions from a total establishment of 31 (16%).

Prisoner employment levels had fallen since our previous inspection in 2021 – 26% of prisoners were unemployed compared to 11% in 2021. Only 23% of prisoners had jobs outside of their accommodation unit. Around 38% of prisoners had jobs inside their unit. Most of these unit jobs were menial and undemanding tasks that required no more than an hour or two per day and could not properly be considered meaningful work.

Aboriginal prisoners were underrepresented in employment, particularly in the more meaningful and higher paid jobs. Aboriginal prisoners made up 47% of the total prison population but 56% of

unemployed prisoners. They made up only 24% of prisoners employed outside the units but 54% of unit workers. They were severely underrepresented in the highest paid jobs – less than 5% of prisoners paid at the highest level of gratuities were Aboriginal.

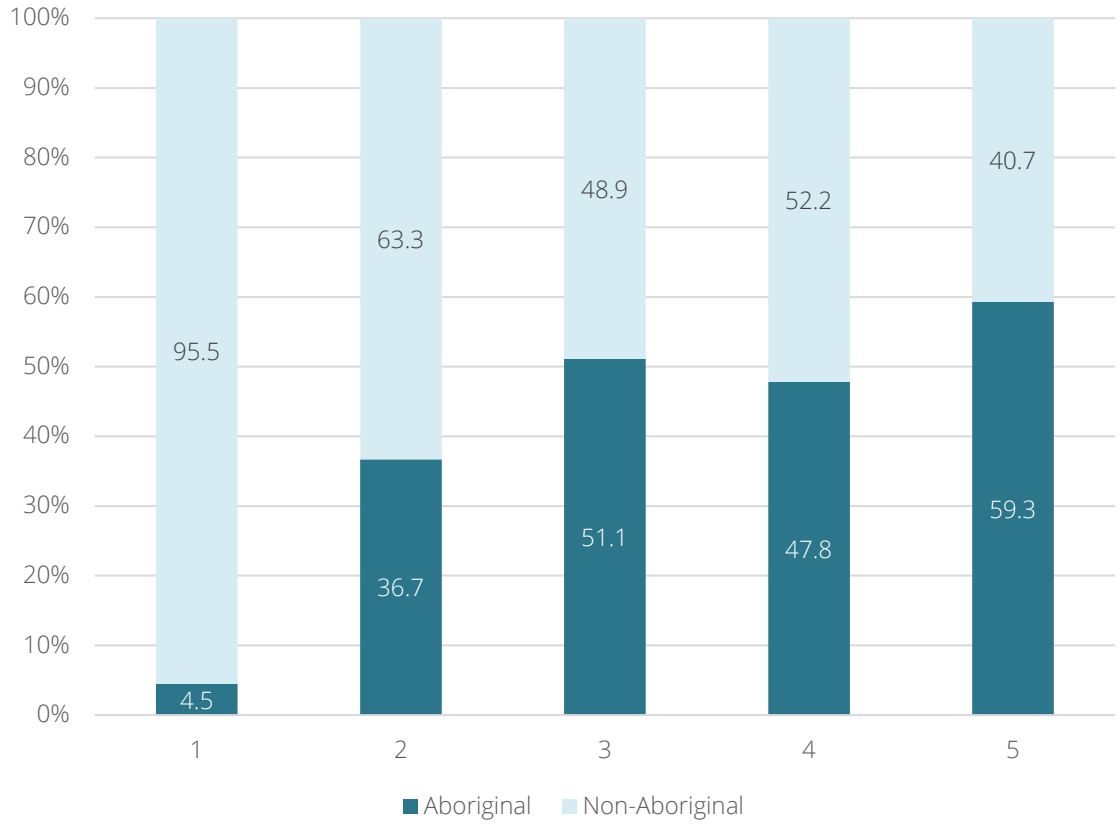

Figure 8: Percentage of Aboriginal and non-Aboriginal prisoners at each gratuity level, 22 January 2024

This has been a persistent problem at Albany. In our 2021 inspection report, we made a recommendation to 'develop specific pathways to better engage Aboriginal prisoners in employment and training' (OICS, 2021, p. 56). Unfortunately, there had been little progress. Senior managers acknowledged the underrepresentation of Aboriginal prisoners but expressed frustration at their lack of capacity (including lack of funding) to introduce any meaningful initiatives to address it.

The Acting Superintendent had a clear focus on reviving industries and prisoner employment. This was being pursued in several ways:

- Opening industries workshops was prioritised over staffing the units and VSO redeployment was discouraged.
- VSOs were collecting workers from the units each morning rather than relying on unit staff to deliver workers to the workshops.
- Workers stayed in workshops for lunch rather than returning to the units.

The biggest change, however, was that most VSOs now worked 10-hour shifts, four days a week (rather than eight-hour shifts, five days a week). This was a decision made following consultation with VSOs. For them, it meant better work-life balance and allowed them to achieve more when at work. Those who preferred to keep working five days a week were allowed to do so. It was an approach tailored to individual needs. This had a very positive effect on VSO morale and had improved VSO

retention. It should also help with recruitment. Staff throughout the prison were supportive of these changes.

However, there had not yet been any significant increase in prisoner employment. The revival of industries was still a work in progress. This will be one of the most important ongoing initiatives as the prison moves forward, with employment a crucial contributor to rehabilitation and preparation for release. Keeping prisoners engaged in meaningful activity also plays a valuable role in maintaining a settled prison.

Recommendation 8
Increase overall prisoner employment levels.

Recommendation 9
Ensure Aboriginal prisoners are proportionately represented in employment.

3.3 Education was valuable but restricted by staffing and resources

Education staffing included an Education Campus Manager, three Prisoner Education Coordinators, one clerical officer and four part-time casual tutors. For part of 2023, the education centre was also able to employ an Aboriginal Education Worker for three days per week. This had been valuable and increased engagement from Aboriginal prisoners, but funding was not ongoing and the position had been lost.

Despite infrastructure limitations and disruptions to their classes, education staff and casual tutors were very positive about working at Albany. They advised us that the interpersonal working environment was excellent, and this was reflected in the environment they created for their students who wanted to make the most of the learning opportunities offered through the education centre.

When fully staffed, the education centre could accommodate up to 60 students for each morning and afternoon session. There was also capacity for another 10–12 students to be engaged in short courses or vocational skills training in the industries area. This meant education had the potential to reach approximately 130 students per day. However, the average number of full-time students between January 2022 and September 2023 was just 21. Positively, Aboriginal engagement was strong, representing about 60% of students. But it was clear the overall delivery of education had been too low. There were a number of contributing factors, including low custodial staffing levels and COVID-19 restrictions. South Regional TAFE had experienced similar challenges with COVID-19 and staffing, and this had impacted the prison because they delivered short courses to prisoners.

Education centre infrastructure was not fit for purpose

The education centre was located in the oldest section of the prison, in an area that was previously part of the original administration building. As such, it was not purpose-built and its limitations were compounded by its age. There were 10 classrooms but only one was air-conditioned. Most of the

remaining classrooms lacked enough power outlets to run fans in summer or heaters in winter. This created work health and safety risks when power cords had to be run to those areas.

Only two of the classrooms were fully enclosed. The others were effectively cubicles, with partition walls that do not extend to the ceiling. At times of severe custodial staffing shortages, when there were not enough custodial staff to supervise multiple areas of the prison, offender treatment programs were relocated into the education centre and needed to use an enclosed classroom to ensure confidentiality. At the time of our inspection, this limitation on education infrastructure was exacerbated as the only other enclosed classroom was being used for medical storage while refurbishments occurred in the health centre. Education staff told us these disruptions made them feel devalued as a service.

There was only one staff bathroom, which was used by male and female education staff, programs staff, prison officers, and at the time of the inspection was also used by medical staff. A second bathroom could be made readily available with some minor renovation to a disused prisoner toilet.

There were opportunities to improve prisoner access to information technology

In our 2021 inspection report, we recommended that Albany should improve access to and use of digital literacy technology including in-cell resources (OICS, 2021, p. 54). This continued to be a weakness at Albany, as it is throughout the prison system. Prisoners had no direct access to the internet or email. Where required, education staff accessed the internet on behalf of prisoners but this process was inefficient and limited the development of digital skills. Computer hardware and software available to prisoners in the education centre was outdated and inadequate.

Albany had successfully implemented a laptops-in-cells program with eight students accessing the in-cell technology in Semester 2, 2023, and five students using them in Semester 1, 2024. Education staff were highly complementary of prison management for aiding the implementation of this program and this was clearly a positive development. But the reach of the program was limited.

Education staff spoke about the potential for tablet technology that had proven successful in other jurisdictions. Loading a tablet with course content would be useful for students to continue pursuing their studies after class contact, and when staff shortages prevented students from attending the education centre. However, the uptake of tablets could serve multiple functions not specific to education:

- Other applications such as bookings systems could be uploaded to provide prisoners with autonomy over medical and general appointments.
- Canteen orders could be submitted through applications replacing old paper-based ordering and stock management systems.
- Family contact could be significantly improved via email programs or e-visits that could be managed through tablet technology.

The State Government has a Digital Capability Fund that was established in late-2022 to drive investment in digital transformation across the public sector and provide the capacity to upgrade legacy technology (ODG, 2022). There is an opportunity to explore options within the fund to

increase prisoner access to digital technology, which is increasingly important given the ubiquity of digital literacy in all facets of life in the community.

Recommendation 10

Explore opportunities within the Digital Capability Fund to pilot tablet technology in cell for prisoners at Albany.

4 Provision of basic needs and rights was not consistent

Albany was under pressure from both local staffing shortages and statewide prisoner population growth. As a result, the prison was struggling to accommodate the basic needs and rights of prisoners in some areas, including adequate clothing and family contact. In contrast, and unlike many prisons, the kitchen was producing food that was viewed positively by most prisoners. Albany also found it challenging to manage some of the specific needs of certain cohorts such as Aboriginal prisoners, remand prisoners, and women prisoners.

4.1 Restrictions in visits and lack of phones impacted family contact

Social visits sessions had been impacted by several factors in recent years. Contact restrictions during the COVID-19 pandemic had reduced the capacity of the visits centre from 20 tables to only 12, and in practice it was rare to use more than 10 in any session. Custodial staffing shortages had increasingly resulted in cancelled visit sessions. Visit sessions that did go ahead were shorter – weekend visits had previously lasted for two hours but were now between one and one-and-a-half hours. In fact, it was so difficult to staff weekend visits that the Acting Superintendent had made the decision to cancel the Saturday and Sunday morning visit sessions, leaving only an afternoon session on each day. This was intended to ensure that staff could supervise recreation and allow prisoners onto the oval in the morning and run visits in the afternoon.

Not surprisingly, many prisoners complained that it was more difficult to access social visits. In our prisoner survey, only 27% of respondents said it was easy to contact their family through visits, down from 46% at the last inspection.

Prisoners also complained that the visit experience itself was diminished. Measures that had been introduced during the COVID-19 pandemic had been maintained. Firstly, clear acrylic screens had been installed on the visit tables, separating prisoners from their visitors. Prisoners and visitors found it difficult to hear each other through these screens and needed to raise their voices, which compromised the privacy of conversations. Secondly, food and drinks had been banned. Prisoners complained that they were unable to even offer water or a cup of tea to their visitors. They felt that this was disrespectful to their visitors – some were elderly and some had travelled a long distance to attend. Only 10% of survey respondents felt that their visitors were treated well.

These measures had been maintained because they helped to prevent trafficking in visits. But they impacted the visits experience for all, not just those attempting to traffic.

One of the positives to come out of the COVID-19 pandemic was the installation of 10 e-visit terminals in the visits centre. This increased capacity for prisoners to maintain contact with family in other regions of the state, interstate or overseas. The prison was running up to 25 social e-visits per weekday, averaging slightly under 400 per month. However, staffing shortages had seen e-visits cancelled on average two days per month. Connection issues were common and technical support was limited. In September 2023, the entire e-visit system was down for two weeks awaiting technicians from Perth to conduct repairs. The biggest issue, however, was lack of staffing to support e-visits. Coordination fell to the video link officer who was already extremely busy managing court video links [see 4.6]. The result was a backlog of up to 75 e-visit applications waiting to be processed.

Photo 7: Visit table with clear acrylic screen.

Photo 8: E-visit terminals lining one wall of the visits centre.

More limited access to social visits had contributed to increased demand for telephone calls in the units. The most common complaint from prisoners during our inspection was that there were not enough telephones in the units. With only one telephone per wing, there could be up to 30 men trying to share each telephone. The problem was exacerbated by staffing shortages and increased time locked in cell because the time available to use the telephone was shorter. We observed that prisoners had devised a system of hanging up their identification badges next to the telephone to secure their place in line to use the telephone.

The prison had previously explored the possibility of installing an extra telephone in each wing but costs were high and attempts to secure funding had not been successful. They were again working on a business case at the time of our inspection, and we strongly support the need to increase the availability of prisoner telephones. It is vitally important for prisoners to remain connected with their families and support networks, both for their mental health and for their prospects of successfully reintegrating into the community.

Recommendation 11
Install additional prisoner telephones in each accommodation wing.

Photo 9: A prisoner using a telephone in the wing, with a long line of identification badges hanging up.

4.2 Prisoners had positive views of food

In many prisons, food is a regular source of complaint from prisoners. At Albany, however, prisoner satisfaction with food was high – 75% of prisoner survey respondents said the quality of food was good. This had increased since our last inspection (69%) and was significantly higher than the state average (41%).

This was a credit to kitchen staff and the prisoner workers they supervised. The kitchen itself was small but relatively well-equipped and laid out given the limited space. Despite being part of the Unit 1 complex (the oldest infrastructure in the prison), the kitchen was well-maintained and clean.

We observed an evening meal being served in the units and noted that serving sizes were generous and second helpings were available. There was also a large tray of fresh salad which was popular among a minority of prisoners. Breakfast packs were delivered in the evening, with each wing receiving bread, cereal, and milk. But we heard consistent feedback from prisoners that they wanted greater quantities of breakfast supplies. This was reflected in the prisoner survey result that indicated only 54% of respondents were satisfied with the amount of food, down from 71% at the last inspection.

The kitchen catered for a variety of special diets for medical, religious and lifestyle reasons. However, we were disappointed that Aboriginal cultural foods were not regularly available. Cultural cook ups had rarely happened outside of special events such as NAIDOC celebrations and relied on the PSO or AVS to organise. Staffing shortages and restricted regimes had made it increasingly difficult to facilitate such activities. Numerous comments were made by prisoners in our pre-inspection surveys about the lack of Aboriginal cultural foods.

4.3 There was insufficient prison clothing for the increased population

Our pre-inspection prisoner survey indicated a decrease in satisfaction with clothing. Only 33% of respondents rated clothing as good, significantly lower than results from our previous inspection (49%) and the state average (42%).

Prisoners reported that they were not provided enough spare clothing and were often wearing the same clothes for several days in a row. We confirmed that the laundry had struggled to provide enough clothing for prisoners as the population had increased rapidly. At one point in 2023, prisoners were given only three t-shirts and three pairs of shorts to last a week. By the time of our inspection, this had increased to five of each.

The shortage of clothing was in part the result of supply issues. Male prisoner clothing is produced in a workshop at Casuarina Prison, and they were struggling to keep up with demand from the growing statewide prisoner population. But Albany also lacked sufficient storage space to maintain an adequate stockpile of clothing, which left the prison vulnerable to short-notice population increases. We observed clothing and bedding stored in any available space in the laundry workshop, from the floor to the roof space.

Washing machines and dryers in the laundry were old and required regular servicing. Indeed, the servicing schedule had been increased from six-monthly to quarterly. But there was no contingency

plan in place if they were to stop working. Preventative maintenance should remain frequent to increase the longevity of the machines and prevent disruptive breakdowns.

4.4 Services for Aboriginal prisoners were lacking in some areas

In the three years since our last inspection, the average daily number of Aboriginal prisoners at Albany had increased from 122 to more than 200. Aboriginal men made up close to half of the prison population. This reflected the fact that Aboriginal people continue to be overrepresented in prison and face wide-ranging socio-economic disadvantage in general society. The Department has made commitments to address Aboriginal disadvantage and overrepresentation in its Reconciliation Action Plan (DOJ, 2022).

At Albany, good support for Aboriginal prisoners was provided by two key Aboriginal staff positions – the Prison Support Officer and the Aboriginal Visitor. However, these positions had limited capacity to address systemic disadvantage. We noted above that Aboriginal prisoners were well-represented in education but underrepresented in industries [see 3.2 and 3.3]. And Aboriginal cultural foods were not regularly available [see 4.2]. We observed that the Aboriginal flag was not flying in front of the prison gatehouse. There is only one flagpole so only the Australian flag could be raised. Most prisons now fly the Aboriginal flag and this is a specific commitment in the Department's Reconciliation Action Plan (DOJ, 2022, p. 12).

In our prisoner survey, only 15% of respondents felt that staff understood their culture and only 17% felt staff respected their culture. In contrast, 69% of staff survey respondents felt that respect for and recognition of Aboriginal culture was generally good. Clearly, there was a substantial difference in perception of cultural understanding and awareness between staff and prisoners.

Photo 10: The Australian flag in front of the gatehouse.

Albany had an active Aboriginal Services Committee, featuring good representation from different business areas in the prison as well as community organisations. The purpose of the committee was to address Aboriginal disadvantage by identifying services and opportunities that could be offered to Aboriginal prisoners. Although the committee was able to identify areas of disadvantage (such as underrepresentation in industries) they were frustrated by the lack of funding and resources they had available to implement any meaningful initiatives.

We believe there is an opportunity to create an Aboriginal services hub at Albany, similar to that seen in the Kaya Link at Bunbury Regional Prison or Kaartdijin Mia at Casuarina Prison. This could serve as a venue for Aboriginal services and provide more meaningful activity for unemployed and under-employed Aboriginal prisoners. It could also be a place to hold cultural events or simply a place to gather with family.

4.5 The prison was not well-equipped to support remand prisoners

Significant growth in the remand population had placed the prison under pressure. Since our last inspection, the average daily number of remand prisoners had increased from 58 to 137. They now made up one-third of the total population. The prison was not well-equipped to manage the demands of such a large remand population.

Remand prisoners we spoke to during the inspection generally felt uninformed and unprepared for both their court case and their life in prison. This again reinforced the need to strengthen the orientation process [see 2.4 and 5.4]. But it also emphasised the higher level of support that remand prisoners need as they prepare to face court.

A high number were spending long periods on remand – 33 had been on remand for 6–12 months and 34 for more than 12 months. But remand prisoners had very little access to services. They had no opportunity to engage in programs and no access to education or short courses. Many expressed frustration at time wasted. They would have liked to participate in programs to address their addictions, relationships or other factors associated with their offending, or complete education and training to improve employment prospects on release.

For the prison, the biggest issue was managing the increased demand for video link court appearances and official visits. The three video link rooms located in the visits centre had all been converted from different original purposes (interview rooms or storage rooms). They were not soundproof and it could be difficult to move prisoners in and out. The holding room for prisoners waiting to appear in court was too small for the number of prisoners now attending for video link appearances, sometimes up to 30. Prisoners usually ended up waiting in the social visits area, which was not secure. There were risks associated with having a large group of prisoners congregated in this area.

The responsibility of coordinating video links to various courts plus managing official visits bookings and social e-visits essentially fell to one video link officer. There were other custodial staff stationed in visits but the video link officer was the only consistent presence. Other staff rotated through on a daily basis. For the video link officer, it was an extremely busy and stressful job, and one that most prison officers refused to do. There was clearly a need for at least one additional permanent position in this area to help manage the workload associated with a higher remand population

Recommendation 12
Provide additional resources to manage video link court appearances and official visits.

4.6 There were few services available for women prisoners

Albany provides very short-term placement for women prisoners received from police in the region or, on rare occasions, to attend trial. There is one generously-sized cell with capacity for three women. At most, women are at Albany for seven days before being transferred to a women's facility in Perth. The prison will arrange special early transfers to Perth where necessary.

The policy, procedures, provisions, and amenities for female prisoners are critically important despite their short stay at Albany. This was particularly the case because the number of women received had risen sharply. Between 2018 and 2022, women made up 16–17% of all people received into the prison. However, in 2023, one in five receptions at Albany were women (21%).

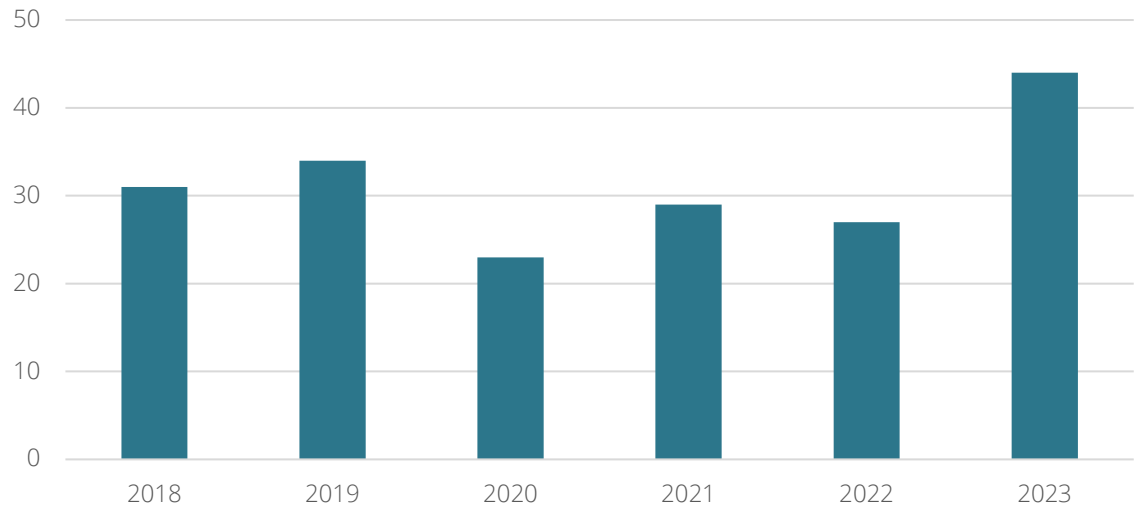

Figure 9: Total number of women received at Albany Regional Prison, 2018–2023

Women at Albany had access to health services to assess and address their immediate medical needs. But their temporary placement within the prison meant they received minimal or no access to other prison services. For example, there was no structured recreation for women. They were provided time out of cell each day in a small secure outdoor yard that would benefit from maintenance and revitalisation.

Women were not able to attend education classes but the education centre created education packs for prisoners to work on in cell. And while women rarely had visitors, since our last inspection, an e-visit terminal had been installed within the wing. Unfortunately, there had been limited uptake of e-visits because the approval process tended to take longer than the time women spend at Albany.

Overall, conditions for female prisoners were less than ideal but perhaps no more so than would be expected for a very small and transient population of women in a predominantly male facility. The prison had attempted to make provisions within the women's cell as comfortable as possible. There were small kitchen appliances and pantry items, and a small selection of books and DVDs.

Despite regular staff shortages, we heard there were usually enough female staff on shift to assist the women when they were received into the prison and whenever else they were required. We found the prison's Standing Order for female prisoners was appropriate and made gender-responsive provisions in a range of operational areas. This included limiting the forcible removal of clothing and strip searches only to occasions where active self-harm and duty of care required.

5 There were gaps in health and support services

Although the nursing team provided a good primary health service, there was no access to a doctor on site and very limited access to dental services. There was also no mental health or alcohol and other drug service on site and limited psychological support. For a maximum-security prison of this size, these gaps in health and mental health resources were concerning.

5.1 The nursing team provided good coverage despite key vacancies

The core nursing staff had continued to deliver primary health care well, despite an extended period without a substantive Clinical Nurse Manager (CNM). The former CNM had left the prison on a temporary secondment to head office more than 12 months earlier, and subsequently earned a permanent promotion. There had been an acting CNM for most of this period, but in the lead up to our inspection there had been no CNM on site for 2–3 months. Another acting CNM was in place for only a few weeks around and during the week of our inspection. The lack of consistent leadership was disruptive, but the stable and experienced team of nurses maintained a good level of service in the circumstances.

Nursing staff managed the various portfolios among themselves, such as infection control, chronic disease management, care plans, pharmacy, and stock management. They administered medication to prisoners in the units seven days per week and accepted appointment requests from prisoners during these medication rounds. These requests were triaged and prisoners were generally seen by a nurse within 24–48 hours.

However, access to a doctor was more problematic. The service was reliant on telehealth appointments from a doctor based in head office. On-site visits were infrequent. The local general practitioner who had previously visited the prison regularly had retired since our last inspection. As a result, there had been some delay in completion of initial medical reviews and annual reviews.

44%

of prisoner survey respondents rated general health services as poor

A range of specialist services visited the prison, including physiotherapy, phlebotomy, optometry, and a blood-borne virus nurse who maintained the prison's excellent record in treating Hepatitis C. But the local public hospital was offering fewer specialist services and some prisoners were required to transfer to Perth for these services.

52%

rated medical specialists as poor

Dental services were a particular concern, as they are across the prisons system. Dentist visits had declined from once a week to once a month since the last inspection (and visits were sometimes cancelled). We met many prisoners suffering with dental pain and oral infections. This was reflected in prisoner surveys, with 69% of respondents rating dental care as poor.

69%

rated dental care as poor

Access to health services within the prison had occasionally been disrupted by custodial staffing shortages and lockdowns. Similarly, external medical appointments were sometimes cancelled because neither the contracted prison transport provider nor the prison had enough staff available to carry out an escort. There were 29 cancellations in the nine-month period to 30 September 2023, which represented 8% of these appointments. However, health staff were satisfied that prison management and staff gave appropriate priority to health services and avoided disrupting services wherever possible.

5.2 Mental health and psychological health services were lacking

There were 1.5 full-time equivalent (FTE) Mental Health, Alcohol and Other Drugs (MHAOD) nurse positions to service both Albany and Pardelup Prison Farm. However, neither position had been occupied for an extended period. The part-time (0.5 FTE) position was only ever filled some years earlier for a brief period. The substantive occupant of the full-time position had been on workers' compensation leave for over two years. The Department had not been successful in filling the part-time position or attracting contract staff for the full-time position. In addition, the Department had only one psychiatrist who was based in Perth and consulted to Albany (via telehealth) only when seriously needed, in line with demand across the entire prison system.

Similarly, contributions from MHAOD staff to suicide prevention and at-risk management processes were provided entirely via online conferencing with staff based in Perth. There was limited access to mental health assessments and referrals for anyone not deemed at acute risk of self-harm.

Prisoners expressed concern that there was no screening on entry for mental health issues, and several complained about the lack of access to mental health care, counselling, or assessment for pharmacotherapy.

63%

of prisoner survey respondents rated mental health care as poor

The primary health service was left to manage patients who would normally have been managed by MHAOD staff. That included dispensing medication for those with mental health conditions or on pharmacotherapy, setting up doctor or psychiatric appointments and otherwise managing patients who were unhappy about being unable to get help with their mental health or get assessed for pharmacotherapy.

Psychological Health Services (PHS) form part of the MHAOD directorate of the Department. At Albany, there were two PHS counsellor positions but one had been vacant for around 12 months and the second counsellor had been on personal leave for the second half of 2023 and only recently returned to work. He worked a 0.8 load and acknowledged that his time was largely taken up by risk management work. However, he did manage to retain a few clients for longer term therapeutic counselling. Many more prisoners would benefit from additional counselling to deal with issues such as grief, anxiety, coping strategies, addictions, and relationships.

Unfortunately, as with the MHAOD nurse positions, efforts to fill the vacant PHS position had failed. This reflects the high demand and shortage of staff in these areas in the community. The Department may need to consider additional incentives to fill these sorts of positions.

5.3 Support and treatment for addictions was limited

Throughout the prison system, health services had been actively reducing the number of prisoners on methadone for some years. At Albany, there were only 2–3 at the time of the inspection plus another 5–6 on monthly buprenorphine injections. However, numbers on pharmacotherapy were likely reduced because of the lack of MHAOD staff. A doctor cannot prescribe an opioid substitute without an assessment being completed by an MHAOD nurse. Several prisoners told us they had been seeking an assessment for pharmacotherapy and had been unable to get one.

Program-based interventions were also difficult to access. Prisoners who were sentenced and had enough time to serve were able to be assessed and considered for the intensive addictions-related offending program, Pathways, run at Albany by Palmerston. Ultimately, only a minority of prisoners were able to access this program [see further discussion at 6.1–6.2].

There were almost no opportunities for other sentenced prisoners or those still on remand to access an alcohol or other drug treatment program. Re-entry service provider Pivot Support Services ('Pivot') advised that some focus on addictions was included in life skills and parenting programs. But there were no Alcoholics Anonymous or Narcotics Anonymous groups running. The Department had not contracted any external agency to provide throughcare alcohol and other drug counselling to prisoners at Albany as it had for prisons in the Perth metropolitan area.

Recommendation 13
Increase availability of addictions programs and treatment.

5.4 Multi-disciplinary contributions to suicide prevention were good

Despite the lack of onsite MHAOD staff, the At-Risk Management System (ARMS) was functioning well. Minutes of Prisoner Risk Assessment Group (PRAG) meetings and observation during our inspection indicated good commitment to the process by staff from various areas in the prison. There were effective contributions from all who had contact with the at-risk prisoner, including custodial staff, MHAOD nurses, Psychological Health Service (PHS) counsellors, the Prison Support Officer (PSO), Aboriginal Visitor Scheme (AVS) worker and the chaplain.

However, MHAOD input was based on desktop reviews or telehealth interviews with the at-risk prisoner conducted by staff in other prisons or head office in Perth. That person then contributed to the PRAG meeting via online conferencing. There was a long period in 2023 when PHS input was also remote. These are the two key clinical services in the ARMS/PRAG process and the lack of face-to-face contact with at-risk prisoners weakened the process.

Another key part of managing at-risk prisoners was the peer support team coordinated by the PSO. The team was in a period of renewal at the time of our inspection with several members released or transferred to different prisons, and new members appointed only in recent weeks. There had not been a meeting of the peer support team for at least three months but members had regular individual contact with the PSO. In the past, members of the peer support team met with every

incoming prisoner and helped provide an orientation. This had not happened for some time. Early contact with new prisoners is important for peer support, both to help identify those who may be at immediate risk of self-harm or suicide and to raise awareness of what the peer support team can offer should they need support at a later time [see Recommendation 7 at 2.4].

5.5 Infrastructure was being refurbished but remained inadequate

The health centre was undergoing much-needed refurbishment at the time of our inspection. This included new flooring and repainting of walls and ceilings. This would provide a welcome refresh of the health centre as well as remove the potential risks of worn and damaged flooring. However, the infrastructure remained fundamentally inadequate.

In multiple inspection reports, we have highlighted the inadequacy of health centre infrastructure at Albany (OICS, 2015, p. 36; OICS, 2018, pp. 35–36; OICS, 2021, p. 35). The centre lacks sufficient and appropriate consulting rooms and the current layout compromises patient confidentiality and privacy. There is also insufficient office space and no crisis care unit.

The lack of suitable crisis care accommodation was highlighted by a female prisoner who needed to be managed in an observation cell for several days during our inspection. The observation cells are located in the management wing, which also housed male prisoners who had been behaving poorly. The observation cells lacked a toilet and running water so at times the female prisoner in question was moved into a management cell.

The cells in this wing lack any natural light or external views. Prisoners do not have any access to healing spaces such as a garden or even a soft lounge. The indoor yard available for these cells was too small for meaningful exercise.

Although unit staff did take a caring approach, prisoners in crisis often need association, not isolation. A shared space to provide an opportunity for mixing with others would be of real value. The wing also lacked any space for health or counselling staff to work from.

As a result, prisoners at high risk of self-harm were usually transferred to a prison in Perth with better crisis care facilities. This was increasingly difficult to facilitate with overcrowding throughout the system and could represent further risk and disruption for an already vulnerable prisoner.

In the past two reports, we made recommendations to replace the health centre (OICS, 2018, p. 71; OICS, 2021, p. 35). Unfortunately, the health centre remained unchanged and was under more pressure than ever because of the increasing prisoner population.

Recommendation 14
Replace the medical centre with a facility meeting modern standards in health delivery, patient privacy and security, including a purpose-built crisis care unit.

Photo 11: The health centre had benefited from new flooring and repainting.

Photo 12: Observation cells were not a therapeutic environment for prisoners in crisis.

6 Missed rehabilitation and release opportunities

Prisons have experienced significant population growth without a proportionate increase in resources. This has led to delays in assessment for offender treatment programs and in many cases the delivery of programs has not been able to meet demand. This trend was reflected at Albany but certainly not restricted to Albany. We observe it at most prisons in the state. The result was more and more prisoners missing opportunities to be rehabilitated and prepared for successful reintegration after release. Because they had not addressed their offending behaviour, more prisoners were not approved for release to parole at their earliest eligibility date. Failure to release people from custody at the earliest opportunity contributed to the rise in prisoner numbers across the state.

6.1 Treatment assessments continued to delay sentence planning

The sentence planning team conducts assessments and writes reports that dictate a prisoner's movement through the prison system during their sentence. The sentence planning team had historically been staffed via secondment from prison officer ranks. However, this meant they were often redeployed to cover prison officer shortages elsewhere in the prison. Over the years, this had contributed to backlogs of overdue reports.

In some prisons, there had been a move to convert the sentence planning team to public servant positions, and this was under way at Albany at the time of our inspection. While it would solve the problem of hours lost to redeployment, staff regretted the loss of operational knowledge in the sentence planning team, and the loss of development opportunities for prison officers. Nevertheless, Albany was strongly placed to successfully transition to public servant positions. The team was managing their workload well and was generally up-to-date on all tasks within their control.

However, the key task of writing initial Individual Management Plans for sentenced prisoners continued to be impacted by delayed treatment assessments. Treatment assessments determine the offender treatment program needs of each prisoner and are managed by the Offender Services directorate of the Department. There was one treatment assessor based at Albany and treatment assessment allocations were coordinated centrally from head office in Perth. At the time of our inspection, there was a backlog of 40–50 treatment assessments at Albany, but the treatment assessor received a maximum allocation of 15 per month (and had no spare capacity). There were no known plans to increase resources or address the backlog in any other way.

This was concerning because the backlog of treatment assessments had flow on effects that directly impacted prisoners' security classification, program engagement, work allocation, education enrolment and likelihood of parole approval.

Recommendation 15
Address the backlog of treatment assessments.

6.2 Offender program delivery was impacted by staffing issues

Programs staffing at Albany was an issue that was affecting program delivery. During our last inspection, there had been four Senior Programs Officers (SPOs) working together as an 'enthusiastic team' (OICS, 2021, p. 49). Since then, the team had faced significant challenges in the form of COVID-19 disruptions, staff turnover, and reduced access to prisoners because of custodial staffing shortages. At the time of our inspection, there were only two SPOs at Albany and one of these resigned shortly after the inspection. A Violence Prevention Program that had been under way was suspended because two SPOs were needed to run the program.

Even before that, the team had struggled to maintain regular program delivery. In 2023, they had completed only one general offending program, known as the Medium Intensity Program. In 2022, they had completed only one Stopping Family Violence program. With only 10 participants in each of these programs, program delivery was not meeting the needs of the population.

The bulk of program activity at Albany was delivered by Palmerston, who had been contracted to run the Department's addictions-related offender program, known as Pathways. Palmerston had run six Pathways programs in 2023, although the last two had faced delays and had run over into 2024. Both were ongoing at the time of our inspection. A total of 49 prisoners participated in those six programs and 39 completed the program.

Although there is a high level of need for addictions-related offender programs within the prisoner population, we have previously expressed concern about the appropriateness of Pathways because of the high level of literacy it requires and questioned its cultural and contemporary relevance given it is an American program written in the 1970s (OICS, 2021, p. 50). The Department's own evaluation of Pathways in 2010 found it to be unsuitable for Aboriginal male participants. It was concerning then that it continued to be recommended and facilitated with Aboriginal and non-Aboriginal men.

6.3 Transitional services team provided good assistance within limits

Two Transitional Managers provided services for both Albany and Pardelup Prison Farm, which includes Walpole Work Camp. They provided services such as fine conversions, help with obtaining copies of driver's licenses or other forms of identification, and facilitating contact with external agencies providing housing and welfare support, such as the Department of Communities and Centrelink. There were robust processes for ensuring all prisoners had the opportunity to be seen by the contracted re-entry service provider, Pivot Support Services.

Pivot had also become a National Disability Insurance Scheme (NDIS) provider, which made it possible to more easily re-engage prisoners previous involved with NDIS, and to begin the process of assessment for NDIS support for others who may be eligible.

The Employment Coordinator assisted prisoners with career counselling, high risk licence renewals, police clearances, registrations of interest for employment, job searches and interviews with prospective employers. Aboriginal prisoners were almost all referred to the Time to Work Employment Services program. These prisoners were assessed by Pivot prior to release to access the correct level of support to obtain employment.

Frustratingly, we can only assess transition management processes in themselves; there was no real access to outcomes. This is because the current re-entry services contract requires very little tracking of outcomes. And even though the contract came to an end in early 2023, it had not yet been renegotiated or retendered and was instead extended to the end of 2024 (and potentially beyond). We are concerned that the current contract lacks accountability. Pivot agreed and also felt that innovation in services was restricted.

Transitional services remained quite separate from the assessments, sentence management, case management, programs and parole systems. All of these systems need to interact with each other for a more effective and holistic approach to rehabilitation and preparation for release.

Appendix A Bibliography

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Appendix B Acronyms

Term	Expansion of Abbreviation
ARMS	At-risk Management System
AVS	Aboriginal Visitor Scheme
CNM	Clinical Nurse Manager
COVID-19	Coronavirus disease
DOJ	Department of Justice
FTE	Full-time equivalent
MHAOD	Mental health, alcohol and other drugs
NDIS	National Disability Insurance Scheme
ODG	Office of Digital Government
OICS	Office of the Inspector of Custodial Services
PHS	Psychological Health Services
PRAG	Prisoner Risk Assessment Group
PSO	Prison Support Officer
SPO	Senior Programs Officer
VJ	Visiting Justice
VSO	Vocational Support Officer

Appendix C Department of Justice's Response

Appendix D Inspection Details

Previous inspection		
7–11 February 2021		
Activity since previous inspection		
Liaison visits to Albany Regional Prison	8 visits	
Independent Visitor visits	20 visits	
Surveys		
Prisoner survey	13 December 2023	169 responses (41%)
Staff survey (online)	4–18 December 2023	54 responses (25%)
Inspection team		
Inspector	Eamon Ryan	
Deputy Inspector	Jane Higgins	
Director Operations	Christine Wyatt	
Inspections and Research Officer	Kieran Artelaris	
Inspections and Research Officer	Cliff Holdom	
Inspections and Research Officer	Ben Shaw	
Research and Review Officer	Kelly Jackson	
Community Liaison Officer	Joseph Wallam	
Graduate Officer	Tiana Kosovich	

Key dates	
Inspection announced	2 October 2023
Start of on-site inspection	4 February 2024
Completion of on-site inspection	9 February 2024
Presentation of preliminary findings	23 February 2024
Draft report sent to Department of Justice	10 October 2024
Draft response received from Department of Justice	Not received at time of publication
Declaration of prepared report	18 December 2024

Inspection of prisons, court custody centres, prescribed lock-ups,
youth detention centres, and review of custodial services in Western Australia

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